

UNITED STATES DISTRICT COURT
for the
District of Alaska

Petition for Action on Conditions of Pretrial Release

Name of Defendant: Giovanni Javier Nazario **Case Number:** 3:21-CR-00022-002-SLG-MMS
Calderon

Name of Judicial Officer: Honorable Matthew M. Scoble, United States Magistrate Judge

Date of Pretrial Release: February 22, 2021

Charges: Count 1: Drug Conspiracy Title 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(B)

Case Status: Pending trial

Assistant U.S. Attorney: Stephan A. Collins **Defense Attorney:** Rex Butler

PETITIONING THE COURT

- ☐ To issue a summons
- ☐ To issue a warrant
- ☒ To modify the conditions of pretrial release as follows:

ADD THE FOLLOWING CONDITION(S):

(b) The defendant must continue or actively seek employment.

DECLARATION AND RECOMMENDATION:

On January 26, 2021, a Criminal Complaint was filed in the U.S. District Court for the District of Alaska charging the defendant with Title 21 U.S.C. § 846 - Conspiracy to Distribute Controlled Substances and 21 U.S.C. § 841(a)(1), (b)(1)(B) - Possession with Intent to Distribute 500 Grams or More, Cocaine.

On January 29, 2021, the defendant appeared before the Honorable Matthew M. Scoble, U.S. Magistrate Judge, for an Initial Appearance on Complaint/Detention Hearing. At that hearing the defense proposed the defendant return home upon release which was denied. The Court ordered the defendant's detention.

On February 18, 2021, an Indictment was filed in the U.S. District Court for the District of Alaska charging the defendant with the above cited offense.

On February 19, 2021, the defendant appeared before the Honorable Matthew M. Scoble, U.S. Magistrate Judge, for an Arraignment on Indictment/Detention Hearing and the defendant was ordered released to the residence described on record, with location monitoring, home detention, and additional conditions of release. During this hearing, education/employment was excluded from the approved activities that could be pre-approved by U.S. Probation and Pretrial Services. It should be noted that upon review of the Order Setting Conditions of Release, there is no notation of this exclusion and it is for this reason this officer is not requesting a modification of condition (p)(ii).

On March 30, 2021, this officer conducted an unannounced home contact with the defendant, and he showed this officer a pre-employment letter from Charlie's Produce. I explained the process of obtaining a

modification of conditions of release and he was provided with a pass to obtain a urinalysis at First Care of pre-employment purposes.

On April 2, 2021, the defendant filed an Expedited Motion to Modify Conditions of Release requesting the conditions be modified to allow the defendant to obtain employment. The defendant proffered the defendant will be working at Charlie's Produce from 06:00 to 16:00, Sunday through Thursday.

It is the respectful recommendation of U.S. Probation and Pretrial Services, the defendant be allowed to work and also be required to continue or actively seek employment. To date, the defendant has had no known violations and his full-time employment will aid him in his pretrial rehabilitation.

Due to time constraints, and the expedited nature of the request there was no Prob 42 signed. However, the defense indicated they agree with this course of action as evidenced by the Expedited Motion to Modify Conditions of Release.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

Executed this 5th day of April at Anchorage, Alaska, in conformance with the provisions of 28 U.S.C. § 1746.

Respectfully submitted,



Eva Barbee
U.S. Probation Officer
April 5, 2021

Approved by:



Rhonda Langford Taylor
Chief U.S. Probation Officer